

REMARKS

Claims 1 and 3-11 are pending. Claim 2 was previously canceled. Claims 1, 4, 5, 8, 9, 10 and 11 have been amended. Applicants respectfully request entry of this amendment and consideration of the claims as herein amended, in view of these Remarks.

Claim 8 is in Condition for Allowance

Claim 8 was objected to as being dependent upon a rejected base claim. The Applicants gratefully acknowledge the Examiner's indication that claim 8 includes allowable subject matter. Accordingly, claim 8 has been amended to independent form and includes the subject matter of claims 1 and 7. Accordingly, Applicants assert that claim 8, as amended, is allowable as indicated by the Examiner.

Objections to Claims 1, 3, 4, 10 and 11

Claim 1 has been amended to show the deletion of "via a common]" in strikethrough, as requested by the Examiner. Applicants gratefully acknowledge the Examiner's understanding and instructions about how to correct this error.

Claims 3 and 4 were objected to. Applicants submit that claims 3 and 4 have previously been amended to remove reference to "the computer system". In the event that Applicants are in error, then Applicants hereby request deletion of claims 3 and 4. Applicants gratefully acknowledge the Examiner's attention to correction of this error by the Applicants.

Claims 10-11 have been amended to begin with the preposition "The", as requested by the Examiner.

Rejection of Claim 1 Under 103 in view of Reese and Official Notice

The Examiner rejected claim 1 under section 103 in view of the combination of Reese US 2002/0141732 and Official Notice in view of the level of ordinary skill in the art. In this regard, the Examiner states that the combination of Reese and Official Notice teach the following elements:

... a plurality of compressors integral in a common housing with each camera in advance of the network interface at each camera, each of the compressors outputting a respective compressed signal, the compressed signals each having at least one characteristic different from other of the compressed signals, the at least one characteristic being selected from among:

image resolution, compression type and compressed bit rate.

Applicants gratefully acknowledge the Examiner's admission that Reese fails to teach a digital camera which includes a compressor in the camera housing in advance of the network interface.

The Examiner asserts that Reese teaches items 310D-1 to 310D-k that are digital cameras. The Examiner also asserts that Reese teaches that each digital camera 310D-1 to 310D-k is connected to a DVRC (200) (see Reese at FIG. 2), and that this connection is through "some network interface connection of the analog cameras 301-1 to 310-j and digital cameras 310D-1 to 310D-k".

Applicants submit that claim 1 has been further amended to specify a construction which more clearly defines over Reese:

the network interface including an IP network stack, the IP network stack being configured to provide a plurality of IP data packets, the plurality of IP data packets conveying the compressed signals.

Accordingly, claim 1 as amended is allowable in view of this additional allowable subject matter.

The Examiner describes the subject of Official Notice as follows:

“it is old and well known in the art to have a compressor included in the body of the camera before the transfer to the network which can function to have multiple compression/resolution/bit rate such as e.g. MPEG-1, MPEG-2, MPEG-3, MPEG-4, lossy, unlossy, animation codec, CorePNG, FFV1, H.264/MPEG-4, AVC, Lagarith, MSU Lossless Video Codec and SheerVideo.

The Examiner than makes a statement which apparently is directed to the level of ordinary skill in the art, as follows:

“Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a compressor in the camera body having multiple compression resolutions/types/bit rates so as to save cost, bandwidth, and increase speed when transferring data.”

First, Applicants respectfully submit that neither Reese nor the Asserted Official Notice teach the subject matter entered by the amendment of claim 1. Accordingly, claim 1 as amended herein is allowable. Claims 3-7, which are dependent upon claim 1, are allowable due to their dependence upon claim 1.

Second, the Applicants respectfully assert that the Examiner’s taking of Official Notice is impermissible. The Examiner has provided no factual support for the subject matter of the Official Notice.

Third, the Examiner has failed to present a functional combination of Reese and Official Notice. For example, the Examiner has not articulated how one of ordinary skill in the art, being in possession of Reese wherein the DVRC (200) already includes a single

compression engine 238, would (a) be motivated to also include a plurality of compressors in each camera connected to the DVRC 200, or (b) determine how to combine a plurality of cameras each including a plurality of compressors (which according to the Examiner are newly introduced into each camera) with a DVRC (200) that already includes a compression engine 238. For example, would each input be compressed again by the compression engine 238. Why? Clearly the combination of Reese and the Official Notice asserted by the Examiner is impermissible and, even if it is permissible, would not function as asserted by the Examiner.

Fourth, Applicants respectfully assert that the Examiner, based upon an unsupported assertion of Official Notice that the prior art teaches a camera including a compressor preceding a network interface in a camera housing, jumps to the further unsupported assertion that multiple compressors would also be obvious. The Examiner states that one ordinary skill would be motivated:

“so as to save cost, bandwidth, and increase speed when transferring data”.

Applicants respectfully submit that this reasoning is clearly unsupported. Applicants submit that these considerations can also be asserted to “teach away” from the construction specified in claim 1. The huge jump from the subject of Official Notice by one of ordinary skill in the art is simply too great to stand, and is unsupported by sufficient reasoning or fact. Accordingly, Applicants suggest that the Examiner is engaged in impermissible hindsight reconstruction, by using the construction specified in the claim as a blueprint for combining various elements and even taking Official Notice.

Fifth, Applicants respectfully submit that each digital camera 310D-1 through 310D-k shown in Reese is clearly connected to a “USB port 232” of the DVRC 200. Of course, the connection to a USB port 232 of the DVRC 200 means that each digital camera 310D-1 through 310D-k fails to include a “network interface” as specified by Applicants for communicating with an Ethernet network, and even more clearly fails to include an “IP stack” for providing a plurality of IP data packets to such an Ethernet network.

In view of the preceding, claims 1 and 3-7, as herein amended, are allowable.

Rejection of Claims 9 and 10-11 Under 103 in view of Reese and Official Notice

Claim 9 has not been amended in substance, but is allowable in view of each applicable argument set forth above for claim 1.

First, as set forth above for claim 1, the Applicants respectfully assert that the Examiner's taking of Official Notice is impermissible. Accordingly, claim 9 is allowable. The Examiner has provided no factual support for the subject matter of the Official Notice. For example, the Examiner has not articulated how one of ordinary skill in the art, in possession of Reese, wherein the DVRC 200 includes a single compression engine 238, would (a) be motivated to also include a plurality of compressors in each camera connected to the DVRC 200, or (b) determine how to combine a plurality of cameras each including a plurality of compressors (which according to the Examiner are newly introduced into each camera) with a DVRC 200 that already includes a compression engine 238. Clearly the combination of Reese and the Official Notice asserted by the Examiner is impermissible and, even if it is permissible, would not function as asserted by the Examiner. The Applicants respectfully ask, if one on the basis of taking Official Notice introduces a plurality of compressors into each digital camera before a network interface, what happens to the compression engine 238 in the DVRC 200.

Second, Applicants respectfully submit that each digital camera 310D-1 through 310D-k shown in Reese is clearly connected to a "USB port 232" of the DVRC 200. Of course, the connection to a USB port 232 of the DVRC 200 means that each digital camera 310D-1 through 310D-k fails to include a "network interface" as specified by Applicants for communicating with an Ethernet network.

Accordingly, claim 9 is allowable. Claims 10-11 are dependent upon claim 9, and are allowable for the same reasons set forth for claim 9.

Conclusion

In view of the foregoing, applicants respectfully request allowance of claims 1 and 3-11. A request for extension of time, and credit card payment of the necessary extension fee, are submitted herewith. The Commissioner is hereby authorized to withdraw or credit any filing fees, or any underpayment or overpayment of any fees, associated with this submission from Moore Landrey Deposit Account No. 50-4128. The undersigned can be reached at (512) 499-8900 to further discuss any issue arising in connection with this matter.

Respectfully submitted,

/Jeffrey D. Hunt/

Jeffrey D. Hunt, Reg. 38,189

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Customer Number 67589
MOORE LANDREY, L.L.P.
1609 Shoal Creek Blvd., Ste. 100
Austin, Texas 78701
Telephone: (512) 499-8900
Facsimile: (512) 320-8906